

**UNITED STATES DISTRICT COURT**

for the

MAR 28 2023

By: TAMMY H. DOWNS, CLERK  
DEP CLERK2023 MAR 28 A 9 24  
Brigette D WilliamsTAMMY H. DOWNS Petitioner

v.

Bureau of Prisons

Case No. 4:23-cv-00297-KGB-JJV  
(Supplied by Clerk of Court)*Respondent*

(name of warden or authorized person having custody of petitioner)

**PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241****Personal Information**

1. (a) Your full name: Brigette D Williams
- (b) Other names you have used: \_\_\_\_\_
2. Place of confinement: \_\_\_\_\_
  - (a) Name of institution: RRM Dallas
  - (b) Address: US Armed Forces Reserve CMPL, 344 Marine Forces Drive  
Grand Prairie, texas 75051
  - (c) Your identification number: 32114-009
3. Are you currently being held on orders by:
 

☒ Federal authorities
 ☐ State authorities
 ☐ Other - explain: \_\_\_\_\_
4. Are you currently:
 

☐ A pretrial detainee (waiting for trial on criminal charges)
 ☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

  - (a) Name and location of court that sentenced you: Judge Moody, Federal, Pulaski County, Arkansas
  - (b) Docket number of criminal case: 4:18-CR-00357
  - (c) Date of sentencing: 04/14/2021

☐ Being held on an immigration charge
 

**This case assigned to District Judge Baker  
and to Magistrate Judge Volpe**

☐ Other (explain): \_\_\_\_\_

**Decision or Action You Are Challenging**

5. What are you challenging in this petition:
 

☒ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings
- ☐ Other (explain): \_\_\_\_\_

## 6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: BOP RRM Dallas(b) Docket number, case number, or opinion number: 4:18-CR-00357

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

My FSA ETCs are not calculated correctly. The BOP refuses to re-calculate them. I should be released to Supervised Release on 04/19/2023.

(d) Date of the decision or action: 03/22/2023**Your Earlier Challenges of the Decision or Action**7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: BOP - North Regional Office(2) Date of filing: 05/04/2022(3) Docket number, case number, or opinion number: Remedy ID 1120060-R2(4) Result: Denied(5) Date of result: 06/30/2022(6) Issues raised: Raised issue of legitimacy of disciplinary I received, AND to adjust my time calculation.

(b) If you answered "No," explain why you did not appeal: \_\_\_\_\_

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☐ No

(a) If “Yes,” provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

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(b) If you answered “No,” explain why you did not file a second appeal: \_\_\_\_\_

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9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes

☐ No

(a) If “Yes,” provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

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(b) If you answered “No,” explain why you did not file a third appeal: \_\_\_\_\_

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10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes

☒ No

If “Yes,” answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Date of filing: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Date of filing: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: \_\_\_\_\_

# 11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☐ Yes

☒ No

If "Yes," provide:

(a) Date you were taken into immigration custody: \_\_\_\_\_

(b) Date of the removal or reinstatement order: \_\_\_\_\_

(c) Did you file an appeal with the Board of Immigration Appeals? \_\_\_\_\_

☐ Yes

☐ No

If "Yes," provide:

(1) Date of filing: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Result: \_\_\_\_\_

(4) Date of result: \_\_\_\_\_

(5) Issues raised: \_\_\_\_\_

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(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

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## 12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☒ Yes

☐ No

If "Yes," provide:

(a) Kind of petition, motion, or application: Advised by CM at RRC to file BP-09, which is the incorrect form.

(b) Name of the authority, agency, or court: RRM Dallas

(c) Date of filing: 01/24/2023

(d) Docket number, case number, or opinion number: N/A

(e) Result: No response, as it was the incorrect form, yet my case manager at the RRC said to file it.

(f) Date of result: \_\_\_\_\_

(g) Issues raised: Correct and current calculation of my FSA Earned Time Credits.

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**Grounds for Your Challenge in This Petition**

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

**GROUND ONE:** The BOP is not following the law as passed by Congress contained in the First Step Act as to the calculation of my First Step Act Earned Time Credits.

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

According to the First Step Act, I was entitled to earn 10 days of credit, then 15 days of credit after my second team meeting (PATTERN).

The BOP refuses to remedy my Earned Time Credits, and they are giving me incorrect advise on how to remedy my situation.

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

**GROUND TWO:**

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☐ No

**GROUND THREE:**

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☐ No

**GROUND FOUR:**

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: N/A

**Request for Relief**

15. State exactly what you want the court to do: Release me from the Bureau of Prisons to Supervised Release on April 19, 2023, in accordance with my good time and earned time credits enacted in the First Step Act.

**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

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I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 03/22/2023

Brigette D. Williams



*Signature of Petitioner*

*Signature of Attorney or other authorized person, if any*



FROM:

Brigette Williams  
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North Little Rock, AR  
72117

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